

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6, 8, and 9 are presently pending in this case. Claim 7 is canceled without prejudice or disclaimer and Claims 1-5 and 9 are amended by the present amendment. As Claims 1-5 and 9 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 1-9 were rejected under 35 U.S.C. §103(a) as unpatentable over Dutcher et al. (U.S. Patent No. 6,065,054, hereinafter “Dutcher”) in view of Martineau et al. (U.S. Patent No. 5,915,226, hereinafter “Martineau”).

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Dutcher in view of Martineau, the rejection is respectfully traversed.

Amended Claim 1 recites in part:

receiving a request to provide said network environment with an application form from one of said clients representing a group, the group including member clients and ***the application form including mail addresses of the member clients being inputted;***
setting said closed network for ***each of said member clients in the group*** in response to the received request;
informing each of the member clients of use permission based on a predetermined discriminator and an access priority, said access priority representing a priority of the group, only member clients of the group being accessible to said closed network; and
managing a use time of said closed network for the group.
(Emphasis added).

The outstanding Office Action relied on Dutcher as describing the “receiving,” “setting,” and “informing” elements of original Claim 1, and relied on Martineau as describing the “managing” element.² However, in the invention recited in amended Claim 1, a closed network is formed ***as requested***, in response to receiving a request for the closed

¹See, e.g., the specification at page 11, line 1 to page 12, line 5 and Figures 2, 3, 8(a), and 8(b).

²See the outstanding Office Action at page 2, line 15 to page 3, line 4.

network, the request including an application form including mail addresses of the member clients. In contrast, Dutcher describes a method for creating a user account for a client from a non-native user domain in a network that *already exists*.³ Thus, Dutcher does not describe “setting said ***closed network*** for ***each*** of said member clients in the group in response to the received request.” Further, the non-native user joins the preexisting network by entering a user ID and a password.⁴ Thus, the entry of a user ID and password in Dutcher does not teach or suggest “***receiving a request to provide said network environment with an application form*** from one of said clients representing a group, the group including member clients and ***the application form including mail addresses of the member clients being inputted,***” as recited in amended Claim 1. Further, it is respectfully submitted that Martineau does not teach or suggest “receiving” or “setting” as defined in amended Claim 1 either. Since the cited references do not teach or suggest each and every element of amended Claim 1, Claim 1 is patentable over Dutcher in view of Martineau.

Independent Claims 3, 4, and 9 recite similar elements to Claim 1. Thus, it is respectfully submitted that independent Claims 3, 4, and 9 (and Claims 6 and 8 dependent therefrom) are patentable over Dutcher and Martineau for at least the reasons discussed above with respect to Claim 1.

Amended Claim 2 recites in part:

receiving a request to provide said network environment from said clients representing a group, the group including member clients;
setting said closed network for ***each of said member clients in the group*** in response to the received request;
transmitting confirmation information to join the closed network to all member clients and receiving a confirmation from each of the member clients;
informing each of the member clients of use permission based on a predetermined discriminator and an access priority, said access priority representing a priority of the group, only

³See Dutcher, column 2, line 61 to column 3, line 27.

⁴See Dutcher, column 6, line 18 to column 7, line 7 and Figure 4.

member clients of the group being accessible to said closed network; and
managing a use time of said closed network for the group.
(Emphasis added.)

However, it is respectfully submitted that neither Dutcher nor Martineau teach or suggest “setting” or “transmitting” as defined in amended Claim 2. As noted above, Dutcher does not describe “setting” as defined in Claim 2 as Dutcher describes a method for creating a user account for a client from a non-native user domain in a network that *already exists*. Further, as Dutcher describes the integration of non-native users to large preexisting networks,⁵ Dutcher does not describe that confirmation information would not be sent to all of these pre-existing users, nor would all of these users send confirmation in return. Thus, Dutcher does not describe “transmitting confirmation information to join the closed network to *all member clients*” or “receiving a confirmation from *each of the member clients*” as further recited in amended Claim 2. Moreover, it is respectfully submitted that Martineau does not teach or suggest “setting” or “transmitting” as defined in amended Claim 2 either. Since the cited references do not teach or suggest each and every element of amended Claim 2, Claim 2 is patentable over Dutcher in view of Martineau.

Independent Claims 5 and 9 recite similar elements to Claim 1. Thus, it is respectfully submitted that independent Claims 5 and 9 are patentable over Dutcher and Martineau for at least the reasons discussed above with respect to Claim 2. (Independent Claim 9 recites elements included in both Claims 1 and 2.)

⁵See Dutcher, column 2, line 61 to column 3, line 27.

Application No. 09/813,215
Reply to Office Action of March 20, 2006

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Edward Tracy
Registration No. 47,998

I:\ATTY\ET\204984US\204984US-AMD6.20.06.DOC